

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

AMERICAN ENVIRONMENTAL
ENTERPRISES, INC., d/b/a THE
SAFETYHOUSE.COM,

Plaintiff,

v.

MANFRED STERNBERG, ESQUIRE, and
MANFRED STERNBERG & ASSOCIATES, PC,
and CHARLTON HOLDINGS GROUP, LLC, and
SHLOMO GROSS a/k/a SAMUEL GROSS, and
GARY WEISS, and A.SOLAR, LLC, and
DAPHNA ZEKARIA, ESQUIRE, and
SOKOLSKI & ZEKARIA, P.C.

Defendants

CIVIL ACTION

No. 2:22-CV-0688 (JMY)

NOTICE OF MOTION TO WITHDRAW AS COUNSEL FOR DEFENDANTS, DAPHNA ZEKARIA, ESQUIRE, and SOKOLSKI & ZEKARIA, P.C.

PLEASE TAKE NOTICE that undersigned, as counsel of record for Defendants, Daphna Zekaria, Esquire and Sokolski & Zekaria, P.C. (hereinafter "Zekari Defendants"), will move this Court for an Order granting Rebar Kelly leave to withdraw as counsel to Defendants, Daphna Zekaria, Esquire and Sokolski & Zekaria, P.C.

PLEASE TAKE FURTHER NOTICE that this motion is accompanied by a proposed form of Order.

PLEASE TAKE FURTHER NOTICE that Rebar Kelly reserves its right for oral argument in the event timely opposition is filed with the Court.

PLEASE TAKE FURTHER NOTICE that this matter has not been scheduled for trial.

Respectfully submitted

REBAR KELLY


Cathleen Kelly Rebar, Esquire (ID # 82872)
Patrick J. Healey, Esquire (ID# 63155)
470 Norristown Road
Suite 201
Blue Bell, PA 19422
(484) 344-5340
Attorneys for Defendants, Daphna Zekaria,
Esquire and Sokolski & Zekaria, P.C.

DATE: April 12, 2024

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AND NOW, Rebar Kelly, files this within Motion with this Honorable Court to Withdraw as Counsel for Dapbna Zekaria, Esquire and Sokolski & Zekaria, P.C. (hereinafter the “Zekaria Defendants”), and in support thereof states as follows:

1. Plaintiffs initiated this action by filing a Complaint on or about February 23, 2022.
2. The Movant in this matter is Rebar Kelly, who has been representing the Zekaria Defendants in this action.
3. Defendant, Daphna Zekaria is an adult individual.
4. Defendant, Sokolski & Zekaria, P.C., is a Professional Corporation established and operating under the laws of the State of New York.

5. Rebar Kelly requests permission to withdraw its appearance, and any of its individual attorneys, on behalf of the Zekaria Defendants in the action pursuant to Local Rule 5..1(b), which states that "[a]n attorney's appearance may not be withdrawn except by leave of court ... "

6. Under the Pennsylvania Rules of Professional Conduct, "a lawyer may withdraw from representing a client if "the client insists upon taking action . . . with which the lawyer has a fundamental disagreement;" Rule 1.16(b)(4).

7. Furthermore, the Rules of Professional Conduct allow a lawyer to withdraw when "good cause for withdrawal exists." Rule 1.16(b)(7).

8. Rebar Kelly and the Zekaria Defendants have fundamental disagreement regarding the manner in which this litigation is to be handled and other important matters relating to the legal representation of the Zekaria Defendants.

9. These disputes are ongoing and have made further representations impractical and unfair.

10. These fundamental disagreements require Rebar Kelly to withdraw as counsel for the Zekaria Defendants.

11. Rebar Kelly respectfully avers that "good cause" for withdrawal exists and requests that this Court allow Rebar Kelly from their representation of the Zekaria Defendants.

12. This case has not been scheduled for trial.

13. All counsel and parties have been served with this Motion.

14. Accordingly, it is respectfully requested that the Court enter an Order granting Rebar Kelly Leave to Withdraw as Counsel for the Zekaria Defendants in this matter and Stay this

Action for 30 days in order to afford the Zekaria Defendants adequate time to locate alternative counsel.

Respectfully submitted

REBAR KELLY


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